

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 14-0250 MMC
)
)
)
)
v.) **ORDER OF DETENTION**
)
 PENDING TRIAL
)
RAYMOND GILLIAM,)
)
)
)
Defendant.)
)

This matter came before the Court on May 27, 2014, for a detention hearing. Defendant Raymond Gilliam was present and represented by Assistant Public Defender Rita Bosworth. Assistant United States Attorney Hallie Hoffman appeared for the government.

Pretrial Services submitted a report to the Court and the parties that recommended detention, and a representative of Pretrial Services was present at the hearing. The government moved for detention, and Defendant opposed. Proffers and arguments regarding detention were submitted by the parties at the hearing.

Upon consideration of the facts, proffers and arguments presented, the Court finds by clear and convincing evidence that no condition or combination of conditions of release will reasonably

assure the safety of the community.

This Order supplements the Court's findings at the detention hearing and serves as written findings of fact and a statement of reasons as required by 18 U.S.C. § 3142(i)(1).

The Court makes the following findings as a basis for its conclusion that no condition or combination of conditions of release will reasonably assure the safety of the community. First, it is undisputed that Defendant has a serious and long-standing drug problem. Second, he has a substantial criminal history involving accusations of violence. While on federal supervised release after a felony drug conviction, Defendant was accused of shooting at passengers in a moving vehicle. While on state parole after a felony conviction, Defendant committed and was convicted of a robbery. When he was arrested for the present counterfeiting charges on May 19, 2014, the police found a loaded semi-automatic weapon in his room. Third, he has had numerous Form 12 violations when previously on supervised release and, in this case, was arrested in January 2014 and then again in March 2014 for engaging in similar criminal conduct. Given Defendant's drug addiction, his past difficulty in obeying the rules of his release (and of avoiding further criminal activity when he knows he is under investigation), and his involvement in violent activities, the Court finds by clear and convincing evidence that he is a danger to the community and no set of conditions, including release to a half-way house or a drug treatment facility, will reasonably assure the community's safety.

Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

1. Defendant Gilliam be, and hereby is, committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. Defendant Gilliam be afforded reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendants are confined shall deliver defendant to an authorized deputy United States marshal for the purpose of any appearance

in connection with a court proceeding.

1 SO ORDERED.
2
3 Dated: August 21, 2014

4 HON. JACQUELINE SCOTT CORLEY
5 United States Magistrate Judge
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26